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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/776,409	
	Filing Date	February 10, 2004	
	First Named Inventor	David C. KELMAN	
	Art Unit	3739	
	Examiner Name		
Total Number of Pages in This Submission		Attorney Docket Number	10557/296452

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Form PTO/SB/08 (one sheet) 2. 7 publications
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Elena S. Polovnikova, Reg. No. 52,130
Signature	<i>Elena S. Polovnikova</i>
Date	December 22, 2004

CERTIFICATE OF TRANSMISSION/MAILING

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Typed or printed name	Angela M. Rossi		
Signature	<i>Angela M. Rossi</i>	Date	12/22/04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: David C. KELMAN, et
al.

SERIAL NO.: 10/776,409 Group Art Unit: 3739

FILED: February 10, 2004 EXAMINER:

FOR: RESORBABLE DEVICES

ATTORNEY DOCKET NO.: 10557/296452

DATE: *December 22, 2004*

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publications listed on the modified Form PTO/SB/08 are cited for consideration by the Examiner. The Office has waived the requirement under 37 C.F.R. 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003. Therefore, Applicant is not providing copies of the cited U.S. patents at this time. Copies of all non-U.S. references are enclosed.

Submission of the references provided in this Information Disclosure is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this

Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

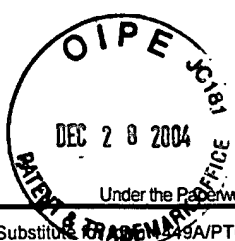
This Information Disclosure Statement is being filed pursuant to 37 C.F.R. 1.97(b), before issuance of a first action on the merits. The Commissioner is authorized to charge any fees associated with this filing to Deposit Account No. 11-0855.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Elena S. Polovnikova".

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1

of 1

Complete if Known

Application Number	10/776,409
Filing Date	February 10, 2004
First Named Inventor	David C. KELMAN
Group Art Unit	3739
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Attorney Docket Number	10557/296452

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		5,201,771	04/13/1993	Belykh, et al.	
		5,571,204	11/05/1996	Nies	
		US2002/0160032 A1	10/31/2002	Long, et al.	
		6,605,090	08/12/2003	Trieu, et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		DE 42 20 216 C1	01/13/1994	Germany		Abstract
		EP 0 711 534 A1	05/15/1996	Europe		Abstract
		EP 0 321 389 A1	06/21/1989	Europe		Abstract
		0 595 956	05/11/1994	Europe		

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Pitto, et al., "Comparison of Fixation of the Femoral Component without Cement and Fixation with Use of a Bone-Vacuum Cementing Technique for the Prevention of Fat Embolism During Total Hip Arthroplasty," <i>J. Bone Joint Surg.</i> , 81-A(6):831-843 (1999)	
		Tagil, "Thesis - The morselized and impacted bone graft Animal experiments on proteins, impaction and load," <i>Acta Orthop. Scand. Suppl.</i> , 290:1-40 (2000)	
		Temenoff and Mikos, "Injectable biodegradable materials for orthopedic tissue engineering," <i>Biomaterials</i> , 21:2405-2412 (2000)	

Examiner
SignatureDate
Considered

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.